



# State Water Resources Control Board



## Division of Water Rights

1001 I Street, 14<sup>th</sup> Floor ♦ Sacramento, California 95814 ♦ 916.341.5300  
P.O. Box 2000 ♦ Sacramento, California 95812-2000  
Fax: 916.341.5400 ♦ [www.waterboards.ca.gov/waterrights](http://www.waterboards.ca.gov/waterrights)

**Linda S. Adams**  
*Secretary for  
Environmental Protection*

**Arnold Schwarzenegger**  
*Governor*

**September 2, 2009**

Mr. Henry M. Ramirez  
Oroville Facilities Relicensing Program  
Department of Water Resources  
P.O. Box 942836  
Sacramento, CA 94236-0001

Dear Mr. Ramirez:

### REQUEST FOR WATER QUALITY CERTIFICATION FOR THE RELICENSING OF THE OROVILLE FACILITIES, FERC NO. 2100

Thank you for your letter to Dorothy Rice, Executive Director of the State Water Resources Control Board (State Water Board), received in our office on August 31, 2009, requesting water quality certification pursuant to section 401 (a)(1) of the Federal Clean Water Act (33 USC § 1341 et seq.), for the Oroville Facilities, Federal Energy Regulatory Commission (Commission) #2100. The Department of Water Resources withdrew the application for water quality certification on August 5, 2009. This is the fifth request for water quality certification; the first request was received on October 26, 2005. Prior to Commission issuance of a new license, a water quality certification or waiver will be required (18 C.F.R. § 16.8 (d)(7)(i)). The Department of Water Resources (DWR) letter, received August 31, 2009, initiates a one-year time clock for the State Water Board to act on the request for water quality certification.

The application for water quality certification, together with the Commission license application and other documents from the Commission files that are incorporated by reference in the certification application, meet the application filing requirements specified in California Code of Regulations, title 23, section 3856. A complete application for water quality certification must include a description of any steps that have been, or will be taken to avoid, minimize, or compensate for loss of, or significant adverse impacts to beneficial uses of water. Cal. Code Regs. tit. 23, § 3856(h)(6). We may request additional information to clarify, amplify, correct, or otherwise supplement the contents of the application. Supplemental information may include evidence of compliance with the water quality control plan. Cal. Code Regs. tit. 23, § 3836.

This letter also serves as notice pursuant to the California Code of Regulations, title 23, section 3858 that the State Water Resources Control Board intends to take action on the water quality certification for this Project no sooner than 21 days from the date of this letter.

State Water Board staff appreciates the cooperation of DWR staff and looks forward to working with you on this matter. Should you have questions regarding this letter please contact me at (916) 341-5341 or e-mail at [rkanz@waterboards.ca.gov](mailto:rkanz@waterboards.ca.gov).

Sincerely,

*ORIGINAL SIGNED BY*

Russ J. Kanz  
Staff Environmental Scientist

cc: See next page.

***California Environmental Protection Agency***

cc: Ms. Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, N.E.  
Washington, DC 20426

Ms. Alexis Strauss, Director  
Water Division  
USEPA, Region 9  
75 Hawthorne Street  
San Francisco, CA 94105

Mr. Thomas R. Pinkos, Executive Officer  
Regional Water Quality Control Board  
415 Knollcrest Drive  
Redding, CA 96002

Mr. John Mudre  
Federal Energy Regulatory Commission  
888 First Street, N.E., Room 1A  
Washington, DC 20426

Mr. Timothy Welch  
Federal Energy Regulatory Commission  
888 First Street, N.E., Room 1A  
Washington, DC 20426

Mr. Ralph Torres  
Oroville Facilities Relicensing Program  
Department of Water Resources  
P.O. Box 942836  
Sacramento, CA 94236-0001

Oroville Service List

bcc: Dorothy Rice, Executive Office  
Marianna Aue, OCC  
Vicky Whitney  
Jim Kassel  
Les Grober  
Cam Williams  
Jeff Parks  
Tristan Leong  
Jennifer Watts  
Whalen Toy